

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NADIA A. DEDICOVA-KENT)	
)	
Plaintiff,)	
vs.)	
)	Civil Action No. 04-1482
EQUIFAX INFORMATION SERVICES, LLC)	
and)	
EXPERIAN INFORMATION)	
SOLUTIONS, INC.)	
and)	
TRANS UNION, LLC)	
and)	
MBNA AMERICA BANK, NA)	
)	
Defendants.)	

**PLAINTIFF NADIA A. DEDICOVA-KENT'S MOTION
TO COMPEL THE DEPOSITION OF A CORPORATE
REPRESENTATIVE OF DEFENDANT TRANS UNION, LLC**

Plaintiff Nadia A. Dedicova-Kent, through her undersigned attorneys, hereby moves this Court to enter the accompanying order compelling Defendant Trans Union, LLC ("Trans Union") to produce a corporate representative for deposition, and, in support thereof avers as follows:

1. This is an action for damages brought by an individual consumer against the Defendants for violations of the Fair Credit Reporting Act (hereafter the "FCRA"), 15 U.S.C. §§ 1681 *et seq.*, *as amended*, and various other laws of the Commonwealth of Pennsylvania, which was commenced by the filing of a Complaint on or about April 2, 2004, in the United States District Court For the Eastern District of Pennsylvania.

2. On or about March 11, 2005, Plaintiff sent a Notice of Deposition to defense counsel for Defendant Trans Union to produce a corporate representative for deposition. (A true and accurate copy of Plaintiff's Notice of Deposition is attached hereto as Exhibit A).

3. Plaintiff has requested that defense counsel produce a corporate representative for deposition on several occasions, both over the telephone and in writing. (See a true and accurate June 9, 2005 print out of an e-mail string between Plaintiff's counsel and defense counsel attached hereto as Exhibit B).

4. Defendant Trans Union has failed to produce a corporate representative prior to the close of discovery, despite its promises to do so.

5. Discovery is set to close today, June 15, 2005. Plaintiff will suffer hardship and prejudice as a result of Defendant Trans Union's failure to produce a corporate representative for deposition.

6. Plaintiff has attempted in good faith to resolve this discovery dispute. Plaintiff's Local Rule 26.1(f) Certification of Counsel is attached.

WHEREFORE, based upon the foregoing, Plaintiff Nadia A. Dedicova-Kent respectfully requests that this Court enter the accompanying Order compelling the Defendant Trans Union to produce a corporate representative for deposition within twenty (20) days of the date of this Order or risk further sanctions upon application to the Court.

RESPECTFULLY SUBMITTED,

FRANCIS & MAILMAN, P.C.

BY:

JAMES A. FRANCIS, ESQUIRE
MARK D. MAILMAN, ESQUIRE
JOHN SOUMILAS, ESQUIRE
Attorney for Plaintiff
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100 South Broad Street
Philadelphia, PA 19110
(215) 735-8600

Dated: June 15, 2005

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Defendants.)	

LOCAL RULE 26.1(f) CERTIFICATION OF COUNSEL

The undersigned counsel of Plaintiff Nadia A. Dedicova-Kent hereby certify, pursuant to Local Rule 26.1(f), that they have attempted in good faith to resolve this discovery dispute, but have been unable to do so without court intervention.

RESPECTFULLY SUBMITTED,

FRANCIS & MAILMAN, P.C.

BY: _____
JAMES A. FRANCIS, ESQUIRE
MARK D. MAILMAN, ESQUIRE
JOHN SOUMILAS, ESQUIRE
Attorneys for Plaintiff
Land Title Building, 19th Floor
100 South Broad Street
Philadelphia, PA 19110
(215) 735-8600

Dated: June 15, 2005

CERTIFICATE OF SERVICE

I, John Soumilas, hereby certify that, on this date, I caused a true and correct copy of the foregoing Plaintiff's Motion to Compel to be served by way of U.S. mail, first-class and postage pre-paid, upon the following:

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DATE: June 15, 2005